

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JULIO SUAREZ,	:	CIVIL ACTION NO. 1:21-CV-710
DANIEL R. BINDERUP,	:	
DANIEL F. MILLER,	:	(Judge Conner)
FIREARMS POLICY COALITION,	:	
INC., and SECOND AMENDMENT	:	
FOUNDATION,	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
Col. CHRISTOPHER PARIS,¹	:	
Commissioner of Pennsylvania	:	
State Police,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 24th day of July, 2024, upon consideration of the motion (Doc. 39) for summary judgment filed by plaintiffs Julio Suarez, Daniel R. Binderup, Daniel F. Miller, Firearms Policy Coalition, Inc., and Second Amendment Foundation, and the motion (Doc. 41) to dismiss or, in the alternative, for summary judgment filed by defendant Commissioner Christopher Paris, and further upon consideration of the briefs in support of and in opposition to the parties' respective motions, and for the reasons set forth in the accompanying memorandum of today's date, it is hereby ORDERED that:

1. Commissioner Paris's motion (Doc. 41) to dismiss and, in the alternative, for summary judgment is GRANTED in part and DENIED in part as follows:

¹ Colonel Christopher L. Paris became the Commissioner of the Pennsylvania State Police on March 9, 2023, during the pendency of this action. See FED. R. CIV. P. 25(d).

- a. Plaintiffs' challenge to Section 6108 of Pennsylvania's Uniform Firearms Act of 1995 ("UFA") is dismissed for lack of standing, without prejudice to plaintiffs' right to file an amended complaint curing that deficiency thereafter.
 - b. The Clerk of Court is directed to enter judgment in favor of Commissioner Paris and against plaintiffs with respect to plaintiffs' challenges to the concealed carry provision of Section 6106 and the disqualification provision of Section 6109 of the UFA. The court declares the continued enforcement of those provisions to be facially constitutional.
 - c. Commissioner Paris's motion is DENIED in all other respects.
2. Consistent with the court's memorandum, plaintiffs are granted leave to file an amended complaint challenging Section 6108 within twenty (20) days. Upon receipt of an amended complaint, plaintiffs' claims shall be immediately severed and transferred to the United States District Court for the Eastern District of Pennsylvania, and the Clerk of Court shall thereafter CLOSE this case. Should plaintiffs fail to file an amended complaint within 20 days, the Clerk of Court is directed to CLOSE this case.
3. Plaintiffs' motion (Doc. 39) for summary judgment is GRANTED in part. The Clerk of Court is directed to enter judgment in favor of plaintiffs and against Commissioner Paris with respect to plaintiffs' challenge to Section 6107 and the vehicle provision of Section 6106 of the UFA. The court finds those provisions to be facially unconstitutional and Commissioner Paris is enjoined from enforcing them. Plaintiffs' motion is DENIED in all other respects.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania